

REMARKS

The Office Action mailed June 3, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 5, 13, 25 and 26 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Specifically, the Examiner states that “Claim 1 is objected to because of the following informalities: In paragraph 3 of claim 1, the term ‘initiate’ should perhaps be ‘initial.’ Appropriate similar correction is also required in subsequent claims 5, 13, 25 and 26.”

Applicants maintain that the claims are correct as written. Claim 1 includes the element of “scanning an initiate AC test instruction into the instruction register of both ICs.” What is being scanned is an “instruction” to “initiate” an “AC test.” Moreover, the specification is consistent with the use of the term “initiate AC test instruction.” *See* Specification p. 15, ln. 30.

Rejection(s) Pursuant to Judicially-Created Double Patenting

Claims 1-8, 13, 25 and 26 were rejected pursuant to the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of prior U.S. pat. no. 6,813,737. Submitted herewith is a duly-executed Terminal Disclaimer overcoming said double patenting rejection. Withdrawal of same is respectfully requested.

Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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